

Appl. No. : 09/143907
Filed : August 31, 1998

REMARKS

By this paper, Claims 47-50 have been amended and Claims 26, 27 and 29-46 have been cancelled. Thus, Claims 47-50 remain pending in the application and are presented for further examination.

I. Rejection of Claims 47-50 under 35 U.S.C. § 112

In paragraph 4 of the Office Action, the Examiner rejected Claims 47-50 as being indefinite for failing to particularly point out and distinctly claim the subject matter. By this paper, Applicant has amended each of Claims 47-50 to correct the issues identified by the Examiner. Applicant submits that the amendments, which Applicant submits do not affect the scope of the claims, place Claims 47-50, as amended, into condition for allowance.

II. Rejection of Claims 47-50 under Judicially Created Doctrine of Obviousness-type Double Patenting

In paragraph 7 of the Office Action, the Examiner rejected Claims 47-50 under the judicially created doctrine of obviousness-type double patenting over claims 1, 13, 16, and 28 of U.S. Patent No. 5,707,286 ('286). Applicant has submitted herewith a terminal disclaimer with respect to the '286 patent. Thus, Applicant submits that Claims 47-50 are allowable.

III. Conclusion

Applicant has endeavored to address all of the Examiner's concerns as expressed in the Office Action. Accordingly, amendments to the claims, the reasons therefor, and arguments in support of patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are made in order to improve the clarity of claim language, to correct grammatical mistakes or ambiguities, and to otherwise improve the clarity of the claims to particularly and distinctly point out the invention to those of skill in the art. Finally, Applicant submits that the claim limitations above represent only illustrative distinctions. Hence, there may be other patentable features that distinguish the claimed invention from the prior art.

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections and, particularly, that all claims be allowed. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a

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telephone conference, the Examiner is respectfully invited to call the undersigned. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

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By: 

Eric M. Nelson
Registration No. 43,829
Attorney of Record
Customer No. 20,995
(619) 235-8550

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